

Notice of Allowability

Application No.

10/600,108

Examiner

Kimberly D. Nguyen

Applicant(s)

HARDING ET AL.

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/7/05.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☒ The drawings filed on 20 June 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 3/7/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Amendment

1. Acknowledgement is made of Response filed March 7, 2005.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Carol Peter on June 24, 2005.

IN THE SPECIFICATION:

On page 1, line 3: Insert --This application claims priority under 35 U.S.C. § 119(e) to United States provisional patent application serial no. 60/390372 filed on June 21, 2002.--

Allowable Subject Matter

3. Claims 1-26 are allowed.
4. The following is an examiner's statement of reasons for allowance:

The best prior art of record fails to specifically or fairly suggest a shopping system for scanning codes related to products and for retrieving data associated with the codes, the shopping system including a handheld code scanner having a memory operatively coupled to the microcontroller for storing the decoded data and at least one identification code to identify a user of the scanner, the identification code being unique to the scanner and a user.

Art Unit: 2876

Wang (US 6,175,922) teaches a barcode scanner, which the user can scan in the unique ID of the point of sale terminal, transaction number and/or merchandise barcode number.

Browning (US 6,081,629) teaches a special-purpose scanner system which comprises the combination of a handheld scanner and associated software communications agent. The scanner is capable of scanning a single line of text and presenting that text to an onboard OCR engine, allowing user display and verification before information is sent to the companion software communications agent.

Mehler (US 6,820,808) teaches a system, a calling card printed with bar code, which is decodable to a unique identification code and preferably user specific information. A user of system preferably swipes the calling card through scanner, which includes reader, an optical reader for reading each identification code on the calling card.

Forcier et al. (US 2004/0212504) teaches a handgun having an implant, which may have a unique identifier, wherein the unique identifier may be read from the implant and transmitted to the handgun. If the transmitted identifier matches the keyed identifier, only then the handgun would be operable. This would limit a perpetrator's ability to operate the handgun, because the perpetrator could steal the handgun and still not be able to fire the handgun.

However, Wang, Browning, Mehler, and/or Forcier, taken alone or in combination thereof, fails to specifically teach or fairly suggest the shopping system including a handheld code scanner having a memory operatively coupled to the microcontroller for storing the decoded data and at least one identification code to identify a user of the scanner, the identification code being unique to the scanner and a user.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 571-272-2402. The examiner can normally be reached on Monday-Friday 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


KDN
June 24, 2005



**THIEN M. LE
PRIMARY EXAMINER**